

THE
FOUNDATION
OF THE
Massachusetts Professorship
OF
NATURAL HISTORY,
AT
HARVARD COLLEGE,
IN
CAMBRIDGE.
WITH
Documents, relative to its Establishment.



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RULES, &c.

AT a Meeting of the Society of Subscribers to a Fund, for the establishment of a *Professorship of Natural History*, holden at the Hall of the Union Bank, in Boston, on Wednesday the 27th day of March, in the year of our Lord, one thousand eight hundred and five, at eleven of the clock in the forenoon, the foundation of the Professorship herein after mentioned, and the following Rules and Principles, by which it should be regulated and conducted, were agreed upon.

CHAPTER I.

THE FOUNDATION OF THE PROFESSORSHIP.

A Professorship of *Natural History* shall be founded at Harvard-College, in Cambridge; and the Professor shall be stiled, "THE MASSACHUSETTS PROFESSOR OF NATURAL HISTORY"—*Provided*, that if any person shall become a munificent patron of the said Professorship, by liberally endowing the same, it shall be in the power of the President and Fellows of Harvard College, to name the Professor after such Benefactor.

CHAPTER II.

THE ELECTION OF THE PROFESSOR.

ART. I. The first Professor shall be chosen by the greater part of the Subscribers aforesaid, present at a Meeting to be called for that purpose.

ART. 2. The Successors of the first Professor shall be elected by the President and Fellows, and the election be approved by the Overseers of Harvard College, in the same manner as other Professors of the College are chosen. And every Professor so to be elected shall be a Master of Arts, of the Christian Protestant Religion, and of good moral character.

ART. 3. When after the election of the first Professor, there shall be a vacancy in the office, if a Successor shall not be appointed in manner aforesaid, and introduced into the office, within six calendar months after such vacancy shall happen, then the Visitors of the said Professorship shall have power to fill such vacancy, by the election of a Professor.

ART. 4. The Professor, after his election, and before he enter on the execution of the duties of his office, shall make and subscribe, before the President and Fellows of Harvard College, a declaration similar to the declarations required from the Medical Professors. *Provided however*, that the declaration to be subscribed by the Professor of Natural History, shall contain nothing repugnant to the rules and principles of this Institution herein declared, nor to the laws of the land.

ART. 5. The Professor shall hold his office so long as he shall discharge the duties thereof, and behave well. And he may be removed from the Office by the Visitors of the Professorship, either for misbehaviour, or incapacity to discharge the duties thereof according to the discretion of the Visitors. But the President and Fellows of Harvard College may suspend the said Professor from all the powers and

duties of his office, for neglect of his duties to the College, required by this foundation, or inability to discharge the same, or for immoral behaviour, which suspension shall continue in full force, until he be restored or removed by the Visitors.

ART. 6. When a Professor shall be removed from the office for incapacity, arising after his election, and from no fault of his own, the Visitors may make such provision for his future support, as may be consistent with the state and magnitude of the funds of the Professorship.

CHAPTER III.

OF THE DUTIES OF THE PROFESSOR.

ART. 1. It shall be the duty of the Professor to form a *Botanic Garden* on the grounds that shall be provided for that purpose, which shall contain all the Plants that may be procured, and may be capable of preservation therein, including all the indigenous Plants of the country, foreign plants which have been, or which may be naturalized here, and all other exotic plants whatever, useful for the purposes of this institution. And the Professor shall superintend the Botanic Garden, and the preservation and growth of the Plants therein, subject to such Rules and Regulations as may, from time to time, be prescribed by the Visitors.

ART. 2. The Professor shall read Lectures on Botany and Entomology to such of the Students of Harvard College, as may be inclined to attend thereon, at such times, under such regulations, and for such gratuities, as shall be directed by the Pre-

President and Fellows of the said College, the gratuities to be assessed in the quarter bills of the students so attending, and when received, shall be paid over to the Professor. And the Professor, in his lectures, shall exhibit all the plants necessary to the due illustration of the subject.—*Provided however*, that those Students of Harvard College, who are sons of any of the Subscribers aforesaid, shall be entitled to attend on the said lectures gratis, agreeably to the terms of the original subscription.

ART. 3. The Professor, with the assent of the Visitors, and under such regulations as they may prescribe, may read lectures on Botany and Entomology to such other persons as may request to attend on the same, for such gratuities as the Visitors and Professor may determine; provided that the said regulations be not repugnant to the regulations which may be prescribed by the President and Fellows of Harvard College, for the government of the Students, in their attendance on the Professor. And provided further, that the immediate government of the College may exclude any person from the privilege of attending on the lectures of the Professor, whom they shall declare to have insulted the authority of the College, or to have violated the laws of the College made for the government of the Students.

ART. 4. The Professor, either personally, or by some assistant, by him appointed, and approved by the Visitors, and by the President and Fellows of Harvard College, shall attend on all persons who

may desire to view the Botanic Garden, and inspect the plants therein preserved, at such times, under such regulations, and for such perquisites as the Visitors, from time to time, shall direct.—*Provided*, that no perquisite be exacted from any of the Subscribers aforesaid, nor from any of the Overseers, or of the Corporation, or of the immediate governors or instructors of Harvard College. *Provided* also, that no undergraduate of the College be admitted into the garden but at such hours, and for such length of time, as shall be allowed by the Government of the said College.

ART. 5. The Professor shall collect all specimens in Mineralogy for which he may have convenient opportunity, and after arranging them, he shall deposit them in the Cabinet of Mineralogy belonging to the Corporation of Harvard College, for the use of the University of Cambridge.

ART. 6. The President and Fellows of Harvard College, with the assent of the Visitors of the Professorship, may enjoin upon the Professor, the duty of instructing the Students of the College in such other branches of Natural History, as may be found from experience consistent with his faithful discharge of all the duties already above enjoined on him. And such further instructions shall be given at such times, under such regulations, and for such gratuities, as the said President and Fellows shall prescribe. And such gratuities shall be assessed and paid over, in the same manner as the gratuities for attending on the Lectures on Botany and Entomology.

*CHAPTER IV.**OF THE FUNDS OF THE PROFESSORSHIP.*

ART. 1. All the real Estate to be purchased for the foundation of the said Professorship, shall be vested in the President and Fellows of Harvard College, upon the special trust and confidence, that the Professor of Natural History, for the time being, shall have the use and occupation of the same, for his habitation, and for the Botanic Garden, and for such other uses as may be connected therewith.

ART. 2. All the personal property which may belong to the said foundation, shall be vested in the President and Fellows of Harvard College, but upon such trusts, and for such uses, as shall, from time to time, be directed by the Visitors of the said Professorship.

ART. 3. Whenever there may be growing, in the Botanic Garden, plants of any description, which may be taken from the Garden, without any prejudice to the end and design of the Professorship, such plants may be sold under such regulations, and for such prices, as the Visitors may direct; and the profits arising from the inspection, or sale of the plants, shall form a part of the personal Funds of the said Professorship.

ART. 4. The Treasurer of Harvard College shall pay over the rents, issues and profits of the said Estate, real and personal, which he may receive, and also the principal of the said personal Estate, to the order of the Visitors of the said Professorship, with whom he shall account, as often as they shall direct.

And the Treasurer shall be entitled to such compensation for managing and taking care of the personal property of the said Professorship, entrusted to him, as shall be determined by the President and Fellows of Harvard College.

ART. 5. The money raised by the subscribers aforesaid shall be paid over to the Treasurer of Harvard College, for the uses, and upon the trusts aforesaid; reserving, however, in the hands of the said subscribers, or in the hands of their own Treasurer, so much of the said money as they may think proper for the purchase of real Estate for the said Professorship.

ART. 6. All monies paid to the Treasurer of Harvard College, shall be put at interest in the name of the President and Fellows of the said College, but for the uses and upon the trusts aforesaid, by vesting the same in the public funds of this State, or of the United States of America, or in the Stock of some Bank legally incorporated, at his discretion, unless he receive directions concerning the same, from the Visitors of the Professorship, to which directions it shall be his duty in all things to conform.

CHAPTER V.

OF THE VISITORS OF THE PROFESSORSHIP.

ART. 1. The Trustees of the Massachusetts Society for promoting Agriculture, together with the President of Harvard College, the President of the American Academy of Arts and Sciences, and the President of the Massachusetts Medical Society, or the greater part of them, shall be the Visitors of

the said Professorship, with all the powers and duties in the said Visitors above vested, and on them enjoined. *Provided*, that if the Massachusetts Society for promoting Agriculture, shall, at any time, have more than twelve Trustees, then the said Trustees shall elect out of their own body, twelve, who, together with the three Presidents aforesaid, shall be the Visitors of the said Professorship.

ART. 2. And further, the Visitors shall have full power to cause a dwelling-house for the Professor, and such other buildings to be erected, such utensils and materials to be purchased, and such laborers to be employed, as, in their judgment, may be fit and reasonable—to cause the real estate to be kept in repair—to prevent any waste or loss in the personal estate—to see that the Botanic Garden be supplied with the necessary plants, and be duly cultivated—to take care that the duties of the Professor, and of those employed under him, be intelligently and faithfully discharged—to fix the salary and the emoluments of the Professor, and of any Assistant he may have—and generally to make, and cause to be executed, all such rules and regulations as in their judgment, will render the said Professorship most useful in promoting the interests of the University of Cambridge, and the Arts and Agriculture of the State, and for the better qualification of the Professor, for discharging the duties of his office; so that such rules and regulations be not repugnant to the rules and principles herein agreed upon, nor to the charter of Harvard College, nor to the laws of the land.

ART. 3. The Visitors may make all such appropriation of the funds of the Professorship, including both principal and interest, as in their judgment, may be necessary for the due execution of the powers with which they are herein vested.

ART. 4. If at any time, the funds of the said Professorship should be more than sufficient, for all the purposes aforesaid, and there should remain any monies unappropriated, the Visitors may appropriate so much of the monies so remaining, as they may think proper, for the forming or enlarging a Cabinet or Cabinets of Natural History, for the use of the University of Cambridge, to be connected with the said Professorship, according to the duties that are or may be enjoined on the Professor—or, the said Visitors may appropriate so much of the monies so remaining, as they may think proper, towards the compensation of any other Professor of Harvard College, to whom may be entrusted, by the President and Fellows of the said College, the right of teaching any branch of Natural History, not specially provided for in this Institution, if such appropriation, in the judgment of the Visitors, shall be more useful in diffusing the knowledge of Natural History.

ART. 5. The Visitors may constitute one or more Committees selected from themselves, or elsewhere, with authority to execute such of the powers vested in the Visitors, as they may judge will be most convenient for the due execution of the great variety of important trusts reposed in them. Provided, that the removal of the Professor from his Office, or the

fixing his salary and perquisites, by any Committee, be not valid until the same be ratified by the Board of Visitors.

ART. 6. The Trustees of the Massachusetts Society for promoting Agriculture, or the greater part of them shall call the first meeting of the Visitors, in such manner, and at such time and place as they shall determine, at which first meeting the greater part of the Visitors, then present, may agree upon the method of notifying future meetings, which method they may from time to time alter. And at any meeting of the Visitors duly notified (provided five at the least be present) the act of the greater part present shall be deemed the act of the Visitors.

ART. 7. To prevent any failure of Visitors of the said Professorship, it is agreed, that if the Trustees of the Massachusetts Society for promoting Agriculture, who may be Visitors as aforesaid, or the greater part of them, should, after accepting the trust aforesaid, decline the further execution thereof, either expressly, or by unreasonably neglecting the same, such neglect being declared by the greater part of the Justices of the Supreme Judicial Court, upon complaint made by the President and Fellows of Harvard College; then the said President and Fellows, together with the President of the American Academy of Arts and Sciences, and the President of the Massachusetts Medical Society, or the greater part of them, shall be the Visitors of the said Professorship, with all the powers above defined and to the Visitors granted.

ART. 8. Whereas some alterations and amend-

ments may from experience be found necessary for more effectually promoting the true design of this institution, it is therefore agreed, that all such alterations and amendments to this foundation which shall hereafter be agreed upon by the President and Fellows of Harvard College and the Visitors aforesaid, for the more successful cultivation of the Science of Natural History, and which shall be approved by the Overseers of Harvard College, and the President and Council of the American Academy of Arts and Sciences, shall have the same force and effect as if part of the original foundation.

CHAPTER VI.

CONCLUSION.

ART. 1. The foundation of the said Professorship, and the rules and principles, by which it should be regulated and conducted are agreed upon, on the express condition that the same be assented to, by the President and Fellows of Harvard College, and by the Massachusetts Society for promoting Agriculture respectively, and that such assent be entered on the records of those Societies.

ART. 2. That there be four exemplifications of the said foundation, rules and principles, engrossed on parchment and authenticated under the signatures of the Hon. FRANCIS DANA, Esq. the Chairman, and of *Francis C. Lowell*, Clerk of the Society of subscribers aforesaid. That one exemplification be delivered to the President and Fellows of Harvard College, that another be delivered to the Massachusetts Society for promoting Agriculture,

and that a third be delivered to the Visitors of the said Professorship, to be entered on the records of those Societies respectively; and that a fourth be filed in the office of the Secretary of the Commonwealth.

ART. 3. That there be two exemplifications of the original subscription engrossed on parchment and authenticated under the signatures of the said Chairman and Clerk of the Society of subscribers aforesaid, one to be delivered to the President and Fellows of Harvard College, and the other to the Visitors of the said Professorship.

ART. 4. That the choice by the Society of Subscribers aforesaid, of the first Professor of Natural History, shall, when made, be certified under the signatures of the said Chairman and Clerk of the said Society. And one certificate shall be delivered to the President and Fellows of Harvard College, another to the Visitors of the said Professorship, and a third to the Professor who may be elected; and such certificate shall be sufficient evidence of the election, to all intents and purposes whatever.

VOTED, THAT the Foundation of a Professorship of Natural History, with the Rules and Principles, by which it shall be conducted, which have been agreed upon, shall be laid before the President and Fellows of Harvard College, and the Massachusetts Society for promoting Agriculture, for their assent and approbation, agreeably to the terms of this Foundation.

Attest, FRANCIS C. LOWELL, *Clerk*.

THE preceeding Foundation having been submitted to the two bodies above mentioned, was approved and assented to by the Corporation of the College, March 28, 1805 ; whose act was confirmed by the Board of Overseers, April 11th ; it was also approved and assented to by the Massachusetts Society for promoting Agriculture, April 9th.

The Professorship is thus established, according to the terms of the Foundation.

The Board of Visitors, appointed to consist of the Twelve Trustees of the Massachusetts Society for promoting Agriculture, and of the President of the American Academy of Arts and Sciences, the President of Harvard College, and the President of the Massachusetts Medical Society, organized themselves and entered upon the execution of their trust, April 19th, 1805.

At the same Meeting the Officers to be chosen, and the general Rules of proceeding to be observed, were determined as follows :—

RULES AND REGULATIONS,

Of the BOARD OF VISITORS of the Massachusetts Professorship of Natural History.

ART. 1. There shall be a President and Secretary elected annually at the stated meeting in June, who shall continue in office until others are chosen in their stead ; the choice shall be made by ballot, and a majority of the Votes shall be required to make a choice.

ART. 2. There shall be twelve stated Meetings of the Visitors in each year, one to be on the Saturday next following the first Wednesday in June, the others on the last week of the other eleven months of the year, on such days of the week as

shall from time to time be appointed : And at all Meetings not less than five members shall be required (including the person who presides) to form a Quorum for doing business, except for deciding the time and place of adjournment.

ART. 3. The President shall always regulate the debates, declare the decisions, and superintend generally the proceedings of the Visitors, when he is present, but when the President is absent from any Meeting, these functions shall be performed by such member as those present shall then appoint.

ART. 4. It shall be the duty of the Secretary to keep a fair record of all the votes and proceedings of the Visitors, to attest all copies which issue from his office, to preserve in regular files all papers committed to his care, and to notify all meetings of the Visitors : *Provided*, that in case of the death, resignation, disability or absence of the Secretary, the Visitors at any Meeting may elect a Secretary for a longer or shorter term as the case may require.

ART. 5. All grants or appropriations of money, shall be certified under the hand of the President, or the person who presides at the Meeting by which such grant or appropriation is made, and shall be then attested by the Secretary.

ART. 6. The stated Meetings of the Visitors shall be at such places as they may from time to time appoint, and special Meetings may at any time be called by the Secretary, under the direction of the President, or at the written request of any two of the Visitors.

ART. 7. In case the Visitors shall at any time assign to a Committee any of the important powers with which they are entrusted, such Committee shall be chosen by ballot from an open list of Candi-

dates previously nominated, which list shall be read over immediately before the balloting, and a majority shall be necessary to the choice.

Names of the Gentlemen, now composing the Boards concerned in the Government of this Institution.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE.

PRESIDENT.

Hon. OLIVER WENDELL,
Rev. JOHN LATHROP, D. D.
ELIPHALET PEARSON, L. L. D.
Hon. JOHN DAVIS, Esq.
Rev. JOHN ELIOT, D. D.
EBENEZER STORER, Esq. TREASURER.

FELLOWS.

THE BOARD OF VISITORS.

OFFICERS.

Hon. JOHN ADAMS, L. L. D. President of the American Academy of Arts and Sciences, President of the Board of Visitors.

JOHN AVERY, Esq. Secretary.

MEMBERS.

His Excellency CALEB STRONG, President of the Massachusetts Society for promoting Agriculture,

JOHN WARREN, M. D. President of the Massachusetts Medical Society.

Hon. JOSEPH RUSSELL, Esq.

AARON DEXTER, M. D.

THOMAS L. WINTHROP, Esq.

Rev. JOHN T. KIRKLAND, D. D.

Hon. GEORGE CABOT.

THEODORE LYMAN,

Hon. CHRISTOPHER GORE, Esq.

SAMUEL W. POMEROY, Esq.

THE Subscribers, at their Meeting, March 27, made choice of WILLIAM DANDRIDGE PECK, A. M. A. A. S. as First Massachusetts Professor of Natural History, who, having been approved by the Corporation and Board of Overseers of Harvard College, has accepted that office, and is to be inducted in due form, at Cambridge, on the Fourteenth day of May next.

A Committee of the Subscribers are empowered to procure a situation in the vicinity of the College, suitable for the residence of the Professor, the formation of a Garden, and the other uses of the Institution.

As the circumstances of the establishment for a year to come, will admit of the absence of the Professor, and his attention to the objects, which a visit to Europe in that time may present, will enable him to enter upon the duties of his office with increased advantage, and more effectually to aid the government of the University, and the Board of Visitors, in the execution of their respective trusts, and will answer various important purposes to the institution, the Visitors have resolved upon the measure. It is his intention to embark for England immediately after his induction; in hopes of being able to view and examine the principal institutions of a similar description in *Great-Britain, France and Sweden*, within a period not exceeding fifteen or sixteen months.

In the mean time, it is hoped that the list of Subscribers to this interesting and expensive establishment, will be augmented, that it may be so conducted as to effect all the valuable purposes of its foundation.

To give full opportunity for all who are able and inclined, to appear among its patrons, upon the

original conditions, the Subscribers, at their last meeting, *Voted*, That the subscription paper (a copy of which is subjoined) should be open for the reception of additional names during the term of one year, after which the engrossed copies of the list of subscribers will be made out agreeably to *Chap. 6th. Art. 3d.* in the Foundation ; other copies also will then be printed, in a form proper to be annexed to this pamphlet, together with such intermediate proceedings of the government of the Institution as may be thought to be interesting to its Benefactors.

The Committee for receiving Subscriptions, are Dr. WARREN, Dr. DEXTER, Judge DAVIS, Hon. J. QUINCY, Rev. Dr. KIRKLAND and Mr. STEPHEN HIGGINSON, jr.

SUBSCRIPTION PAPER.

IT has frequently been remarked, that in the extensive regions of the *United States*, there are boundless fields of inquiry, hitherto, almost untrodden ; that our forests, our plains, our rivers and our shores contain multiplied treasures from which we have been but partially benefitted, and that there are many of our native productions of which we know not the *use*, and scarcely even the *names*. Particular instances of industrious research form laudable exceptions to that general inattention to the *Natural History* of our country, which has too long prevailed ; but it is not by individual, unconnected and transient attentions that any considerable progress can be made in such an immense range of pursuit. The uniform, unremitted, systematic

efforts of a respectable and competent *Establishment* are necessary.

If our ancestors, within *seven years* after the first planting of *Massachusetts*, could, by a liberal endowment, lay the foundation of the *University of Harvard*, it cannot be difficult for their descendants, whom God has eminently prospered, to add to that respectable and well-regulated seminary, a Professorship of Natural History.

The spirit and the means, we trust, are not wanting for the accomplishment of an object so useful and honorable, and it is a circumstance which should encourage us in the enterprise, that we possess a native citizen of the State, distinguished in that walk of science, and whom the institutions of the elder continent might be proud to enroll in their corps of instructors.

Zoology, *Mineralogy* and *Botany*, would be the immediate objects of the proposed institution; and to those intelligent men, whose contributions are invited, it will be unnecessary to state, how *Commerce*, *Agriculture*, *Medicine* and the *Arts* would be aided and promoted by a zealous, well-directed and extensive cultivation of those branches of science.

Connected with the Professorship, it is intended to establish a Botanic Garden and a Museum.

The European world has long experienced the multiplied benefits of such institutions. Establishments, which are there fostered by the care and bounty of government, cannot, in this country, be created and maintained, without the liberal contributions of public spirited individuals.

To gentlemen of this description these observations are addressed. They are respectfully invited to contemplate the subject in all its relations, and

so far as the proposed institution shall be deemed to be a proper object of their bounty, to become contributors to the fund on which its creation and continuance will depend.

WE the subscribers agree to pay the sums, by us respectively subscribed, towards a fund for the establishment and support of a *Professorship of Natural History* at the University in Cambridge, connected with a *Botanic Garden* and a *Museum*; subject to such terms and conditions, as shall be determined by the subscribers, or the major part of them, at a meeting to be convened, when the sum of *twenty thousand dollars* shall be subscribed; the *first Professor* to be nominated by the subscribers; the sons of any person subscribing to the amount of one hundred dollars, to have the privilege, when members of the University, of attending the lectures of the Professor, free of expence, and subscribers to have the right of visiting the Garden and Museum, *gratis*.

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